

REMARKS

In response to an objection, a new title is submitted for entry into the record. It is believed that the new title is clearly indicative of the invention to which the claims are directed.

In response to claim objections, Applicants' claims are amended to remove multiple dependencies.

According to the Office Action, claims 1, 2, 18 and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,518,962 (hereinafter "Kimura"). In response, the rejections are respectfully traversed as lacking sufficient factual support and not grounded in applicable law.

Contrary to the remarks in the Office Action, Kimura fails to teach or suggest, among other things, Applicant's feature of "means for determining an overall brightness level of **an image to be displayed in a frame period**," as recited in claim 1 (emphasis added). According to Kimura (col. 21, lines 57 – 59 as relied upon in the Office Action), the comparison circuit 21a compares the measured current ID with a predetermined reference current I_{ref} in order to correct a decrease from **deterioration over time** of the organic EL device 224 (see col. 21, lines 40 – 44 and FIG. 3 of the patent). Kimura's comparison circuit 21a can't determine an overall brightness level of **an image to be displayed in a frame period**. Nowhere does Kimura teach or suggest this feature of Applicants' invention. It is believed that Kimura's comparison circuit 21a is not analogous to Applicants' recited means for determining, because the functions performed by those two elements are different from each other.

Furthermore, Kimura fails to teach or suggest, among other things, Applicant's feature of "means for controlling the at least one drive transistor of each pixel in dependence on a respective input signal providing a drive level for the pixel and in dependence on the overall brightness level" as recited in claim 1. Contrary to the Office Action, Kimura's disclosure is silent on this feature. The Office Action analogizes Kimura's reference current I_{ref} to Applicants' overall brightness level. Such analogy is incorrect: Kimura's I_{ref} represents a reference current, which is not measured, determined, etc. Applicants' brightness level, on the other hand, is determined. In addition, current is not the same as brightness level, because the two terms are not equivalent. Also, the assertions in the Office Action are inconsistent: it is alleged that Kimura's comparison circuit 21a is analogous to Applicants' means for determining. According to this reasoning in the Office Action, **the output** of Kimura's comparison circuit 21

is analogized to Applicants' overall brightness level. Yet, in the next paragraph of the Office Action, it is alleged that I_{ref} is analogous to Applicants' overall brightness level. However, I_{ref} is **the input** to Kimura's comparison circuit 21a. Thus, the statements in the Office Action are inconsistent.

Furthermore, Kimura's voltage control circuit 22a does not control **individual** drive transistors of each pixel in dependence on a respective input signal providing a drive level. Kimura's voltage control circuit 22a adjusts the output voltage of the **common** electrode driving circuit 13.

For the above reasons, Kimura's voltage control circuit 22a is not analogous to Applicants' recited means for controlling, because the functions performed by those two elements are different from each other

If the Examiner still disagrees and believes otherwise, he is respectfully requested to particularly point out where the above-discussed features can be found in Kimura. Alternatively, the Examiner is respectfully requested to provide a prior art reference stating the same, because the Examiner's interpretation of Kimura can't be factually supported.

According to the binding case law established by U.S. Court of Appeals for the Federal Circuit and its predecessor Court (as interpreted in Section 2131 of the MPEP), to anticipate a claim, the reference must teach each and every element of that claim. As discussed above, Kimura is woefully deficient in teaching each and every element of Applicant's claim 1. It is, therefore, respectfully submitted that independent claim 1 is not anticipated by Kimura.

Claim 18 contains features similar to those in claim 1. Hence, the analysis of independent claim 18 is similar to claim 1, as presented hereinabove. To avoid repetition, claim 18 will not be discussed in detail with the understanding that it is patentable at least for the same reasons as claim 1.

Claims 2 and 19 depend from independent claims 1 and 18, respectively, which have been shown to be allowable over the prior art reference. Accordingly, claims 2 and 19 are also allowable by virtue of their dependency, as well as the additional subject matter recited therein.

With respect to the rejections of claims 3 – 12 and 20 – 24, it is respectfully submitted that Mori (US Pub No. 2003/0025718), Feldman (US Patent No. 6,582,980), and Murai (JP Application No. JP 2001-1305551 A) fail to cure the above deficiencies in Applicants' independent claims, as the Office Action does not rely on the secondary references for those

deficiencies discussed hereinabove. Accordingly, claims 3 – 12 and 20 – 24 are also allowable by virtue of their dependency, as well as the additional subject matter recited therein.

An earnest effort has been made to be fully responsive to the examiner's correspondence and advance the prosecution of this case. In view of the above amendments and remarks, it is believed that the present application is in condition for allowance, and an early notice thereof is earnestly solicited.

Please charge any additional fees associated with this application to Deposit Account No. 14-1270.

Respectfully submitted,

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